

# Notice of Allowability

Application No.

10/605,789

Examiner

Chih-Cheng Glen Kao

Applicant(s)

TOTH ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/3/06.
2. ☒ The allowed claim(s) is/are 1,2,5,6,8-14 and 16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Timothy Ziolkowski on May 2, 2006.

2. The application has been amended as follows:

Cancel claims 17-23.

### ***Reasons for Allowance***

3. Claims 1, 2, 5, 6, 8-14, and 16 are allowed. The following is an examiner's statement of reasons for allowance.

Regarding claim 1, prior art fails to disclose or fairly suggest a beam shaping filter assembly including a second moveable filter independent of a first moveable filter and having a non-uniform thickness, the second moveable filter having a body, a tail, and a curved portion connecting the body of the second filter to the tail of the second filter, the body formed of the second filter at a first terminal end and the tail of the second filter extending to a second terminal end opposite the first terminal end of the second filter, the tail of the second filter positioned at a distal end of the second moveable filter relative to the x-ray source, and the body of the second filter, the curved portion of the second filter, and the tail of the second filter constructed to

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establish an attenuation profile such that a maximum attenuation is defined by the body of the second filter and a minimum attenuation is defined by the tail of the second filter, and wherein at least one of the first moveable filter and the second moveable filter is configured to be placed in a high frequency electromagnetic energy beam for attenuation of the beam for radiographic data acquisition and wherein the first moveable filter is positioned nearer to the x-ray source focal point than the second movable filter, in combination with all the limitations in the claim. Claims 2, 5, 6, and 8-10 are allowed by virtue of their dependency.

Regarding claim 11, prior art fails to disclose or fairly suggest a computed tomography system including a pre-subject filter assembly including a pair of filters, each filter defined by a base, tail, and curved portion connecting the base to the tail, and wherein the pair of filters are arranged such that the curved portion of one filter generally faces the high frequency electromagnetic energy projection source and the curved portion of the other filter generally faces the high frequency electromagnetic energy projection source, and wherein the pair of filters are align-able in the high frequency electromagnetic energy beam such that one filter is positioned more proximate the high frequency electromagnetic energy projection source than the other filter, in combination with all the limitations in the claim. Claims 12-14 and 16 are allowed by virtue of their dependency.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



**EDWARD J. GLICK**  
**SUPERVISORY PATENT EXAMINER**